

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3886 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

-
1. Panchami Devi @ Punchami Devi, female, aged about 33 years, W/o- Sanjeet Singh @ Sanjit Singh, resident of Village- Rariouna (Rariauna), Ward No 11 Gamharia, P.S- Nowkothi (Naokothi), District- Begusarai
 2. Soshila Devi @ Sushila Devi, female, aged about 71 years, W/o- Mahendra Singh @ Mahendra Prasad Singh, resident of Village- Rariouna, (Rariauna), Ward No 11 Gamharia, P.S- Nowkothi (Naokothi), District- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Soni Devi, female, aged about 32 years, W/o- Sri Ramdas Paswan, resident of Village- Rariouna, (Rariauna), Ward No 11, P.S- Nowkothi (Naokothi), District- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sandip Kumar Gautam, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

- 2 10-11-2025 At the out set, learned counsel for the appellants seeks permission to withdraw the petition of appellant no.1, namely, Panchami Devi @ Punchami Devi.
2. Permission is accorded.
3. Accordingly, the petition of appellant no.1, namely, Panchami Devi @ Punchami Devi is dismissed for default.
4. Heard learned counsel for the appellant no.2, namely, Soshila Devi @ Sushila Devi, learned counsel for the State and learned counsel for the Informant.



5. The present appeal has been filed under Section 14A(2) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015 against the impugned order dated 21.08.2025 passed in ABA No.1459 of 2025 by the learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Nowkothi (Naokothi) P.S. Case No. 131 of 2025 dated 13.06.2025 which has been registered for the offence punishable under Sections 109 (1), 352, 3 (5) of the BNS 2023 and also under Sections 3(i) (r)(s) 3(2)(va) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities Act) by which the learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai has refused to grant for anticipatory bail to the appellants.

6. Allegation against the appellant no.2 is to have assaulted the informant by abusing with caste words and also assaulted by means of *lathi* upon the informant's son, namely, Suman Kumar, due to which, his left hand thumb got injured.

7. Learned counsel for the appellant no.2 submits that the appellant has falsely been implicated in this case. He next submits that the appellant is the next door neighbours and during course of investigation, this fact has also come that due to the dispute arose between the children of both the parties, the aforesaid incident has been taken place as stated in para-9 of the



petition. He next submits that the appellant no.2 is female and she has got clean antecedent as stated in para-3 of the petition. He next submits that similarly situated co-accused, namely, Awanish Singh @ Awanish Kumar @ Avnish Singh @ Avnish Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Appeal (SJ) No.3861 of 2025 vide order dated 10.11.2025.

8. Learned APP for the State as well as learned counsel for the Informant have opposed the prayer for anticipatory bail of the appellant no.2.

9. In view of the aforesaid facts and circumstances of the case as well as the fact that appellant no.2 being the lady and similarly situated co-accused has been granted anticipatory bail in Cr. Appeal (SJ) No.3861 of 2025 by a Co-ordinate Bench of this Court, let the appellant no.2, namely, Soshila Devi @ Sushila Devi be released on anticipatory bail, in the event of her arrest or surrender before the Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Nowkothi (Naokothi) P.S. Case No. 131 of 2025, subject to the condition as laid down



under Section 482(2) of the BNSS, 2023.

10. Accordingly, the impugned order dated 21.08.2025 passed by learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in ABA No.1459 of 2025 is set aside.

11. The appeal stands allowed.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

